

04-09-01

A

# UTILITY PATENT APPLICATION TRANSMITTAL

## (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.

96606/15UTL

EL 389 347 874 US

Express Mail Number

CERTIFICATION UNDER 37 C.F.R. § 1.10

6 April 2001

Date of Deposit

I hereby certify that this Application and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," addressed to:

Commissioner for Patents

BOX PATENT APPLICATION

Washington, D.C. 20231-9999

6 April 2001

Date of Signature

Robert W. Szostak

**TO THE COMMISSIONER FOR PATENTS****Box Patent Application****Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. § 111(a) and 37 C.F.R. § 1.53(b) is a new utility patent application for an invention entitled:

**UNIQUE COMPOSITIONS OF ZWITTERIONIC PHOSPHOLIPIDS AND  
BISPHOSPHONATES AND USE OF THE COMPOSITIONS AS BISPHOSPHATE  
DELIVERY SYSTEMS WITH REDUCED GI TOXICITY.**

and invented by:

**Lenard M. Lichtenberger**

Customer Number 23873

**23873**

PATENT TRADEMARK OFFICE

If this application is a **CONTINUATION APPLICATION**, check the appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part of prior application no.: \_\_\_\_\_  
Filing Date: \_\_\_\_\_

If this application **CLAIMS PROVISIONAL PRIORITY**, check the box and supply the requisite information:

☒ Provisional Patent Application Serial No.: 60/195,562 Filing Date: 7 April 2000

**Enclosed are:****Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 39 pages, including the following:

04/06/01

jc984 U.S. PTO

jc872 U.S. PTO

09/027493

04/06/01

- a. ☒ **Descriptive Title of the Invention**
- b. ☒ **Cross References to Related Applications (*if applicable*)**
- c. ☐ Statement Regarding Federally-sponsored Research/Development (*if applicable*)
- d. ☐ Reference to Microfiche Appendix (*if applicable*)
- e. ☒ **Background of the Invention**
- f. ☒ **Summary of the Invention**
- g. ☒ **Brief Description of the Drawings**
- h. ☒ **Detailed Description of the Invention**
- i. ☒ **Claim(s) as Classified Below**
- j. ☒ **Abstract of the Disclosure**
3. ☒ **Drawing(s) (when necessary as prescribed by 35 USC 113)**
  - a. ☒ **Formal**    b. ☐ Informal    Number of Sheets 9
4. ☐ Oath or Declaration
  - a. ☐ Newly executed (original or copy)    ☐ Unexecuted
  - b. ☐ Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
  - c. ☐ With Power of Attorney    ☐ Without Power of Attorney
  - d. ☐ DELETION OF INVENTORS  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.
6. ☐ Computer Program on Microfiche
7. ☐ Genetic Sequence Submission (*if applicable, all must be included*)
  - a. ☐ Paper Copy
  - b. ☐ Computer Readable Copy
  - c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

#### Accompanying Application Parts

8. ☒ **Assignment Papers (*cover sheet & documents*)**
9. ☐ 37 CFR 3.73(b) Statement (*when there in an assignee*)
10. ☐ English Translation Document (*if applicable*)
11. ☐ Information Disclosure Statement/PTO-1449    ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment

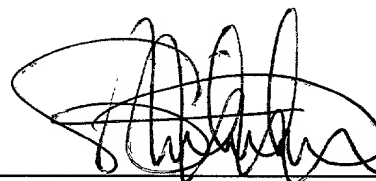
13. ☒ **Acknowledgment postcard**
14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
15. ☐ Applicant claims the benefit of Small Entity Status
16. ☐ **Applicant elects to have this application published - foreign counterparts have been filed.**
17. ☐ Additional Enclosures (please identify below):

### FEE CALCULATION AND TRANSMITTAL

CLAIMS AS FILED					
	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	45	20	25	\$18.00	\$450.00
Intdep. Claims	7	3	4	\$80.00	\$320.00
Multiple Dependent Claims Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					\$0.00
ASSIGNMENT FEE					\$40.00
BASIC FILING FEE					\$355.00
<b>TOTAL FILING FEE</b>					<b>\$1,165.00</b>

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fees is enclosed.
- ☒ **A check in the amount of \$40 to cover the Assignment Recordation fees is enclosed.**
- ☐ The Commissioner for Patents is hereby authorized to charge and credit Deposit Account No. **501518** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fees.
- ☐ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 C.F.R. §§ 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. § 1.18 at the mailing of the Notice of Allowance pursuant to 37 C.F.R. § 1.311(b).

Date: **6 April 2001**



Robert W. Strozier



**23873**

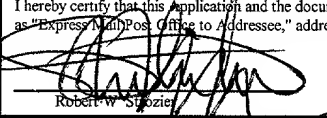
PATENT TRADEMARK OFFICE

# ROBERT W. STROZIER, P.L.L.C.

A FIRM SPECIALIZING IN INTELLECTUAL PROPERTY LAW INCLUDING  
PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET LAW,  
UNFAIR COMPETITION AND RELATED MATTERS

2925 BRIARPARK, SUITE 930  
HOUSTON, TX 77042  
TELEPHONE: 713/977-7000  
TELECOPIER: 713/977-7011

April 6, 2001

EL 389 347 874 US	CERTIFICATION UNDER 37 C.F.R. § 1.10	6 April 2001 Date of Deposit
I hereby certify that this Application and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," addressed to		
 Robert W. Strozier	Commissioner for Trademarks BOX Patent Application 2900 Crystal Dr Arlington, VA 22202-3514	6 April 2001 Date of Signature

Honorable Commissioner for Patents  
BOX Patent Application  
Washington, D.C. 20231-9999

Attorney Docket No:  
96606/15UTL

Dear Sir/Madam:

This letter is a request to file a **Original Patent Application** including: (1) a **39 page disclosure**; (2) **9 sheets of drawings**; (3) **Transmittal**; and (4) a **Return Receipt Postcard**.

Please return the enclosed postcard to acknowledge receipt and filing of this application.

Please address all correspondence in connection with this application to:

ROBERT W. STROZIER  
2925 BRIARPARK DRIVE  
SUITE 930  
HOUSTON, TEXAS 77042  
713.977.7000; 713.977.7011 (FACSIMILE)  
RWSTROZ@FLASH.NET



**23873**

PATENT TRADEMARK OFFICE

Very truly yours,

  
Robert W. Strozier

RWS/sls

Enclosures:

U.S. Original Patent Application  
Transmittal  
Return Self-Addressed Stamped Postcard